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Of Attorney for Defendant

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

MEDFORD DIVISION

PEGGY MINK,

Plaintiff,

v.

**MICHAEL ASTRUE,
Commissioner of Social Security,**

Defendant.

Civil No. 1:09-cv-582-CL

**ORDER AND JUDGMENT OF
REMAND**

Based on the stipulation of the parties, it is hereby ORDERED that the above-captioned case be REVERSED and REMANDED for further administrative proceedings pursuant to

sentence four of 42 U.S.C. § 405(g). On remand, the Appeals Council shall remand this case to an Administrative Law Judge (ALJ) to hold a *de novo* hearing and Plaintiff may raise any issue. The ALJ will: (1) further evaluate the medical source opinions, including the opinions of Christopher Komanapelli, M.D.; Caleb Burns, Ph.D.; Alfredo J. Soto, M.D., Barry E. Egner, M.D.; and State Agency medical consultants; (2) reevaluate the lay witness testimony of David Nordine; (3) clarify which findings in the prior ALJ decision are adopted in accordance with *Chavez v. Bowen*, 844 F.2d 691 (9th Cir. 1988) and Acquiescence Ruling 97-4(9); (4) reevaluate Plaintiff's credibility; (5) reevaluate Plaintiff's residual functional capacity; (6) obtain supplemental vocational expert testimony; and (7) complete the sequential evaluation process.

Plaintiff is entitled to reasonable attorney fees and costs pursuant to 28 U.S.C. § 2412(d), upon proper request to this Court.

JUDGMENT is entered for Plaintiff, and this case is closed.

DATED this 20 day of May 2010.


Owen W. Panner
US District Court Judge

Presented by:

s/ Lisa Goldoftas
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